

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

OLIVIER L.F. ASSER,

Civil No. 06-2438 (JRT/FLN)

Plaintiff,

v.

**ORDER ON EMERGENCY MOTION
FOR TEMPORARY RESTRAINING
ORDER**

KELLY LAW REGISTRY, KELLY
SERVICES, and THE THOMSON
CORPORATION,

Defendants.

Olivier L. F. Asser, 10309 Garden Way, Potomac, MD 20854, plaintiff *pro se*.

Plaintiff Olivier L.F. Asser (“Asser”) filed the instant “emergency motion for a temporary restraining order,” requesting this Court to prohibit the Ramsey County Police Department “from executing the arrest warrant and arresting Plaintiff, or taking any other action against Plaintiff based upon the May 3, 2006 Harassment Restraining Order (‘HRO’) issued by the Ramsey County District Court.”

The Court denies the motion. First, Asser has not paid the required filing fee, nor has he been granted leave to proceed in forma pauperis. *See* D. Minn. LR 4.2; 28 U.S.C § 1915.¹ Second, the Ramsey County Police Department has not been made a party to this lawsuit, and “courts of equity have long observed the general rule that a court may

¹ Asser’s objection to the Report and Recommendation, which recommends denying Asser’s motion for leave to proceed in forma pauperis on grounds of frivolousness, is currently pending before the Court. *See* Docket Nos. 4, 8.

not enter an injunction against a person who has not been made a party to the case before it.” *Additive Controls & Measurement Systems, Inc. v. Flowdata, Inc.*, 96 F.3d 1390, 1394 (Fed. Cir. 1996) (citing *Scott v. Donald*, 165 U.S. 107, 117 (1897) (“The decree is also objectionable because it enjoins persons not parties to the suit.”)).

ORDER

Based on the foregoing, all the records, files, and proceedings herein, **IT IS HEREBY ORDERED** that Asser’s emergency motion for a temporary restraining order [Docket No. 33] is **DENIED**.

DATED: August 8, 2006
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge